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6/26/03

Docket No.: PF-0221-3 DIV  
Response Under 37 C.F.R. 1.116 - Expedited Procedure  
Examining Group 1652

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By: D. Ellis Printed: D. Ellis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Lal et al.

Title: POLYNUCLEOTIDES ENCODING A HUMAN SODIUM-DEPENDENT  
PHOSPHATE COTRANSPORTER (As Amended)

Serial No.: 09/991,212 Filing Date: November 16, 2001

Examiner: Steadman, D. Group Art Unit: 1652

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 21, 2003, of the Examiner's rejection of Claims 3-7, 9, 10, 12, 13, 46, 48, 57 and 58.

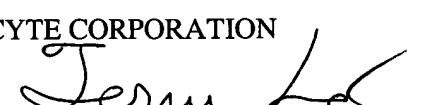
Please charge the Appeal fee of \$320.00 required under 37 CFR 1.17(b) to Deposit Account No. 09-0108. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. 09-0108.

06/23/2003 BABRAHA1 00000101 090108 09991212  
01 FC:1401 320.00 DA

Date: June 18, 2003.

Respectfully submitted,

INCYTE CORPORATION

  
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